MCNAIR LAW FIRM, P.A. ATTORNEYS AND COUNSELORS ATTORNEYS ATTORNEYS AND COUNSELORS ATTORNEYS ATTORNEYS ATTORNEYS ATTORNEYS AND COUNSELORS ATTORNEYS ATTORNEYS ATTORNEYS ATTORNEYS ATTORNEYS ATTORNEYS AND COUNSELORS ATTORNEYS ATTORNEYS ATTORNEYS ATTORNEYS ATTORNEYS AND COUNSELORS ATTORNEYS ATTORNEY

11th Floor, Bank of America Tower Post Office Box 11390 1301 Gervais Street (29201) COLUMBIA, SOUTH CAROLINA 29211

2005 OCT 21 PM 2: 37

TELEPHONE (803) 799-9800 FACSIMILE (803) 376-2219

SC PUBLIC SERVICE COMMISSION

October 21, 2005

The Honorable Charles Terreni Chief Clerk and Administrator South Carolina Public Service Commission Post Office Box 11649 Columbia, South Carolina 29211

Re: Application of Quality Telephone, Incorporated for a Certificate of Public Convenience and Necessity to Provide Resold Local Exchange Services, Access Services and Resold Interexchange Telecommunications Services within the State of South Carolina (SCPSC Docket No. 2005-232-C)

Dear Mr. Terreni:

Please find enclosed for filing on behalf of the South Carolina Telephone Coalition (the "Coalition") an original and ten (10) copies of an executed Stipulation between the Coalition and the Applicant, in the above-referenced docket. In addition to filing this Stipulation, counsel for the SCTC withdraws the Prefiled Testimony of L. B. Spearman which was filed with the Commission on October 17, 2005.

Please clock in a copy of the Stipulation and return it by our courier.

Should you have any questions with respect to this matter, please do not hesitate to contact me.

Very truly yours,

Margaret M Fox

Mr. D. Dulle

Enclosures

cc: John J. Pringle, Jr., Esquire Florence P. Belser, Esquire

BEFORE

THE PUBLIC SERVICE COMMISSION OF

	SOUTH CAROLINA	SS	2005	
	Docket No. 2005-232-C	PUBLIC COMMI	3 2	
Re:	Application of Quality Telephone, Incorporated) for a Certificate of Public Convenience and) Necessity to Provide Resold Local Exchange) Services, Access Services and Resold Inter- exchange Telecommunications Services within) the State of South Carolina)	STIPULATION	PM 2: 37	Š
)			

The South Carolina Telephone Coalition ("SCTC") (see attachment "A" for list of companies) and Quality Telephone, Incorporated ("Quality Telephone") hereby enter into the following stipulations. As a consequence of these stipulations and conditions, SCTC does not oppose Quality Telephone's Application. SCTC and Quality Telephone stipulate and agree as follows:

- 1. SCTC does not oppose the granting of a statewide Certificate of Public Convenience and Necessity to Quality Telephone, provided the South Carolina Public Service Commission ("Commission") makes the necessary findings to justify granting of such a certificate, and provided the conditions contained within this stipulation are met.
- 2. Quality Telephone stipulates and agrees that any Certificate which may be granted will authorize Quality Telephone to provide service only to customers located in non-rural local exchange company ("LEC") service areas of South Carolina, except as provided herein.
- 3. Quality Telephone stipulates that it is not asking the Commission to make a finding at this time regarding whether competition is in the public interest for rural areas.

- 4. Quality Telephone stipulates and agrees that it will not provide any local service, by its own facilities or otherwise, to any customer located in a rural incumbent LEC's service area, unless and until Quality Telephone provides such rural incumbent LEC and the Commission with written notice of its intent to do so at least thirty (30) days prior to the date of the intended service. During such notice period, the rural incumbent LEC will have the opportunity to petition the Commission to exercise all rights afforded it under Federal and State law. Also, Quality Telephone acknowledges that the Commission may suspend the intended date for service in rural LEC territory for ninety (90) days while the Commission conducts any proceeding incident to the Petition or upon the Commission's own Motion, provided that the Commission can further suspend the implementation date upon showing of good cause.
- 5. Quality Telephone stipulates and agrees that, if Quality Telephone gives notice that it intends to serve a customer located in a rural incumbent LEC's service area, and either (a) the Commission receives a Petition from the rural incumbent LEC to exercise its rights under Federal or State law within such 30-day period, or (b) the Commission institutes a proceeding of its own, then Quality Telephone will not provide service to any customer located within the service area in question without prior and further Commission approval.
- 6. Quality Telephone acknowledges that any right which it may have or acquire to serve a rural telephone company service area in South Carolina is subject to the conditions contained herein, and to any future policies, procedures, and guidelines relevant to such proposed service which the Commission may implement, so long as such policies, procedures, and guidelines do not conflict with Federal or State law.
- 7. The parties stipulate and agree that all rights under Federal and State law are reserved to the rural incumbent LECs and Quality Telephone, and this Stipulation in no way suspends or adversely affects such rights, including any exemptions, suspensions, or modifications to which they may be entitled.

- 8. Quality Telephone agrees to abide by all State and Federal laws and to participate, to the extent it may be required to do so by the Commission, in the support of universally available telephone service at affordable rates.
- 9. Quality Telephone hereby amends its application and its prefiled testimony in this docket to the extent necessary to conform with this Stipulation.

AGREED AND STIPULATED to this 2157 day of October, 2005.

Quality Telephone, Incorporated

South Carolina Telephone Coalition:

M. John Bowen, Jr.

Margaret M. Fox

McNAIR LAW FIRM, P.A.

Post Office Box 11390

Columbia, South Carolina 29211

(803) 799-9800

Attorneys for the South Carolina Telephone Coalition

ATTACHMENT A

South Carolina Telephone Coalition Member Companies for Purposes of Local Service Stipulation

ALLTEL South Carolina, Inc.

Chesnee Telephone Company

Chester Telephone Company

Farmers Telephone Cooperative, Inc.

Ft. Mill Telephone Company

Home Telephone Company, Inc.

Lancaster Telephone Company

Lockhart Telephone Company

McClellanville Telephone Company

Norway Telephone Company

Palmetto Rural Telephone Cooperative, Inc.

Piedmont Rural Telephone Cooperative, Inc.

Pond Branch Telephone Company

Ridgeway Telephone Company

Rock Hill Telephone Company

Sandhill Telephone Cooperative, Inc.

St. Stephen Telephone Company

West Carolina Rural Telephone Cooperative, Inc.

Williston Telephone Company

BEFORE

THE PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA

Docket No. 2005-232-C

Re:	Application of Quality Telephone, Incorporated)
	for a Certificate of Public Convenience and)
	Necessity to Provide Resold Local Exchange)
	Services, Access Services and Resold Inter-) CERTIFICATE OF
	exchange Telecommunications Services within) CERTIFICATE OF
	the State of South Carolina) SERVICE
)

I, ElizaBeth A. Blitch, do hereby certify that I have this date served one (1) copy of the foregoing Stipulation upon the following party of record by causing said copy to be deposited with the United States Mail, first class postage prepaid to:

John J. Pringle, Jr., Esquire Ellis, Lawhorne and Sims, P.A. Post Office Box 2285 Columbia, South Carolina 29210

Florence P. Belser, Esquire Office of Regulatory Staff Post Office Box 11263 Columbia, South Carolina 29211.

ElizaBeth A. Blitch, Paralegal

McNair Law Firm, P.A. Post Office Box 11390

Columbia, South Carolina 29211

(803) 799-9800

October 21, 2005

Columbia, South Carolina